

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL UNDERWOOD,

Plaintiff,

-v-

TAFSC HOUSING DEVELOPMENT  
FUND CORPORATION, *et al.*,

Defendants.



No. 18-cv-6664 (RJS)  
ORDER

RICHARD J. SULLIVAN, District Judge:

Plaintiff instituted this action on July 25, 2018 against five defendants: (1) TAFSC Housing Development Fund Corporation (“TAFSC”), (2) The Third Avenue Family Service Center, Inc. (“Third Avenue”), (3) Linda Washington (the executive director of TAFSC), (4) the City of New York (the “City”), and (5) the New York State Homeless Housing and Assistance Corporation (“NYSHHAC”). (Doc. No. 1.) On August 17, 2018, the Court entered an order extending the deadline to answer or otherwise respond to the complaint for TAFSC, Third Avenue, and NYSHHAC – the defendants as to which certificates of service had been filed on the Court’s electronic docket. (Doc. No. 8.)

The Court is now in receipt of a certificate of service indicating that the City was served with the summons and a copy of the complaint on August 2, 2018. (Doc. No. 9.) Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A)(i), the City’s deadline to answer or otherwise respond to the complaint is currently August 23, 2018. The Court is also in receipt of a letter from the City requesting that its deadline to answer or otherwise respond to the complaint be extended to October 5, 2018, giving the City sixty-four days to answer or otherwise respond to the complaint. (Doc. No. 10). The City’s letter indicates that Plaintiff consents to an extension of the City’s deadline to

September 6, 2018, but that Plaintiff opposes the City's request to extend the deadline until October 5, 2018.

In light of the City's upcoming deadline to answer or otherwise respond to the complaint and in the interests of maintaining a uniform schedule in this action, IT IS HEREBY ORDERED that the City's deadline to answer or otherwise respond to the Complaint is extended to September 6, 2018. IT IS FURTHER ORDERED that Plaintiff shall file a letter no later than August 27, 2018 responding to the City's extension request and explaining why Plaintiff does not consent to extend the deadline for all parties to answer or otherwise respond to the complaint until October 5, 2018, particularly in light of the fact that it appears that Plaintiff has not even served the remaining Defendant, Linda Washington.

If Plaintiff has effected service on Defendant Washington, and if Defendant Washington's deadline to answer or otherwise respond to the complaint (as determined by Federal Rule of Civil Procedure 12(a)(1)(A)(1)) is before September 6, 2018, IT IS FURTHER ORDERED that Defendant Washington's deadline to answer or otherwise respond to the complaint is extended to September 6, 2018. If Plaintiff has not yet served Defendant Washington, IT IS FURTHER ORDERED that Plaintiff shall promptly file the certificate of service when he has effected service. SO ORDERED.

Dated: August 22, 2018  
New York, New York

  
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RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE